

CRIMINAL DOCKET - U.S. District Court

U.S.

(LAST, FIRST, MIDDLE)

Case Filed	Docket No.	Def.
Mo. Day Yr. 05 07 91	00041-02	
No. of Def's 3	U.S. MAG. CASE NO.	

Assigned	1707	
PO	0417	5
Misd.		
Felony	District	Off

<input type="checkbox"/> WRIT
<input type="checkbox"/> JUVENILE
<input type="checkbox"/> ALIAS
OFFENSE ON INDEX CARD

VS. HARRIS, Robert
a/k/a Ron Smith

I. CHARGES

U.S. TITLE/SECTION	OFFENSES CHARGED	ORIGINAL COUNTS	DISM. NG
21:846	conspiracy to poss. w/intent to distr. & to distr. cocaine base (crack) - Ct. 1	1	<input type="checkbox"/>
21:841(a)(1)	poss. w/intent to distr. cocaine base (crack) - Ct. 2	1	<input checked="" type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>
			<input type="checkbox"/>

II. KEY DATE

INTERVAL ONE	END ONE AND/OR BEGIN TWO (OR RESTART PERIOD TO TRIAL)	SUPERSEDING COUNTS	END INTERVAL TWO
KEY DATE 4/19/91 EARLIEST OF	KEY DATE 5/7/91 APPLICABLE	KEY DATE 5/7/91 APPLICABLE	KEY DATE 8-12-91 APPLICABLE
<input checked="" type="checkbox"/> Arrest <input type="checkbox"/> sum'n's <input type="checkbox"/> custody <input type="checkbox"/> appears on complaint	<input checked="" type="checkbox"/> Indictment filed/unsealed <input type="checkbox"/> consent to Magr. trial on complaint <input type="checkbox"/> Information <input type="checkbox"/> Felony-W/waiver	a) <input checked="" type="checkbox"/> 1st appears on pending charge /R40 b) <input type="checkbox"/> Receive file R20/21 c) <input type="checkbox"/> Supsdg: <input type="checkbox"/> Indt <input type="checkbox"/> Inf d) <input type="checkbox"/> Order New trial e) <input type="checkbox"/> Remand f) <input type="checkbox"/> JG/P Withdrawn	<input type="checkbox"/> Dismissal <input checked="" type="checkbox"/> Pled Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> Trial (voir dire) began <input type="checkbox"/> Jury <input type="checkbox"/> N.J.
1st appears with or waives counsel 5/7/91	ARRAIGNMENT 8-12-91	1st Trial Ended	2nd Trial Began
DISPOSITION DATE	SENTENCE DATE	PTD Nolle Pros.	FINAL CHARGES DISMISSED on S.T. grounds <input type="checkbox"/> W.P. <input type="checkbox"/> WOP <input type="checkbox"/> on def motion on gov't motion

III. MAGISTRATE

Search Warrant	Issued	DATE	INITIAL/NO.	INITIAL APPEARANCE DATE	INITIAL/NO.	OUTCOME:
Summons	Issued			4/19/91		<input checked="" type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN THIS DISTRICT
Arrest Warrant Issued	Returned	4/19/91	ABD-17BA	4/25/91		<input type="checkbox"/> HELD FOR GJ OR OTHER PROCEEDING IN DISTRICT BELOW
COMPLAINT	Served	4/19/91	ABD-17BA	4/25/91		
Date of Arrest	OFFENSE (In Complaint)					
4/19/91	21:841(a)(1)					

Show last names and suffix numbers of other defendants on same indictment/information:

01-Ringling, 03-Paul

ATTORNEYS

U. S. Attorney or Asst.

J. Douglas McCullough

Defense: 1 ☒ CJA. 2 ☐ Ret. 3 ☐ Waived. 4 ☐ Self. 5 ☐ Non / Other. 6 ☐ PD. 7 ☐ CD4160-6 Dutch River Parkway
New York, New York
212-671-8346Alexis C. Pearce
P. O. Box 1151
Raleigh, N.C. 27602
919-821-4711

In Custody 5-14-91

70 days up: 7/16/91 w/o ms.

Sent. 11/25 - Welm

IV. NAMES & ADDRESSES OF ATTORNEYS, SURETIES, ETC.

FINE AND RESTITUTION PAYMENTS			Docket Entries Begin On Reverse Side		
DATE	RECEIPT NUMBER	C.D. NUMBER	DATE	RECEIPT NUMBER	C.D. NUMBER

APPEALS FEE PAYMENTS	
DATE	AMOUNT

DATE DOCUMENT NO	Yr 91	Docket No 00041	Def. 02	MASTER DOCKET - MULTIPLE DEFENDANT CASE PROCEEDINGS DOCKET FOR SINGLE DEFENDANT	PAGE _____ OF _____	VI EXCLUDABLE DELAY		
						Start Date End Date	Ltr Code	Total Days
				(OPTIONAL) Show last names of defendants V. PROCEEDINGS HARRIS				
4/19/91	1			CRIMINAL COMPLAINT				
	--			RETURN ON WARRANT FOR ARREST and WARRANT - received and executed 4/19/91 - Randy L. Smith - DEA				
	---			INITIAL APPEARANCE - Ral - Denson - Recorded Prsent w/o counsel Advised of rights and charges Govern. moves for det. Deft. requests ct-assgn. counsel - CJA 23 approved				
	2.			ORDER OF TEMPORARY DETENTION PENDING HEARING PURSUANT TO BAIL REFORM ACT - set for 4/25/91 at 2:30 P.M. - lc: USM, USA, PTS, Denson, Joyce Todd, Counsel.				
	3.			ORDER - appointng the FPD (Denson, J) lc: FPD w/file and Usa and PTS	sr			
4/24/91	4.			APPEARANCE - by Atty. Alexis C. Pearce - lc: USA, PTS, USPO, Denson, Judge Fox and J. McCotter	sr			
4/25/91	---			DET. HR/PROB. CAUSE - Ral - Denson - Janet Leggett Ct. Reporter Govern. does not move for det. Probable cause waived \$100,000 bond set w/3rd party custody				
	5.			WAIVER OF PRELIMINARY EXAMINATION - lc: USA and counsel	sr			
	6.			ORDER SETTING CONDITIONS OF RELEASE - \$100,000 unsecured bond w/3rd party custody and conditons executed on 4/25/91 - (Denson, J) - cys. distr.	sr			
	7.			APPEARANCE BOND - \$100,000 unsecured bond - cys. distr.	sr			
5/8/91	8.			GOVERNMENT'S MOTION TO REVOKE BOND w/s. lc: Denson		5/8/91		
	--			ISSUED NOTICE TO APPEAR - set for bond revocation hearing on 5/14/91 at 2:30 P.M. in Raleigh before Denson - lc: J. Denson, USA, USM, USPTS, Attorney, Joyce Todd.	sr			
5/7/91	9.			INDICTMENT - lc: USA, USPO/PTS, USM, McCotter, Judge Fox, Atty. Pearce.	sr			
5/14/91	10.			ORDER ON PRE-TRIALS SCHEDULING - discovery 5/27/91 motions by 6/6/91 responses by 6/17/91 (McCotter, J) lc: USA, Judge Fox and Mr. Pearce (ent. 5/14/91)				
	--			BOND REVOCATION HEARING in Ral before USMJ Denson - Jo Bush Court Reporter - Deft present w/counsel - Govt and Defense present evidence thru sworn testimony - Court find deft has violated his conds of release - Placed in USM custody	vp			
	11.			ORDER OF PRETRIAL DETENTION - the court concludes that the deft has threatened an important government witness in this case and has attempted to intimidate her into not testifying against him. This conduct cannot be tolerated and he must be detained pending trial.	vp			
	12.			WAIVER OF RIGHT TO BE PRESENT AT TRIAL by deft - lc: USA, USPO, Judge Fox, Counsel	vp			
6/17/91	13.			ORDER - per motion of co-deft. Ringling for continuance from 7/8/91 cal - motion is granted and case is continued to 8/12/91-Wilm - excl u/18:3161(h)(8)(A) and (h)(8)(B)(i) (Fox, J) Cr. OB#43, P. 238 - cys. distr. and lc: Mr. Pearce (ent. 6/17/91)	sr	7/8/91 8/12/91		37
7/24/91	--			ISSUED NOTICE TO APPEAR - set for ar & tr on 8/12/91 at 9 A.M. in Wilm. before Judge Fox - lc: USA and Mr. Pearce	sr			

LETTER CODES

For identifying periods of excludable delay per 18 USC 3161 (h) (Sections in brackets)

A Exam or hearing for mental/physical incapacity (18 USC 4244) [(1) (A)]

B NARA exam (18 USC 2902) [(1) (B)]

C State/Fed.l proceedings on other charges [(1) (D)]

D Interlocutory appeal [(1) (E)]

E Pretrial motion (from filing to hearing or to other prompt disposition) [(1) (F)]

F Transfer from other district per FRCrP 20.21 or 40 or Mag. Rule 6a [(1) (G)]

G Proceedings under advisement, not to exceed 30 days, after all necessary submissions filed and hearings completed [(1) (J)]

H Misc. proceedings: arraignment, parole/probation, revocation, Deportation, extradition [(1)]

I Deferral of prosecution (per 28 USC 2902) [(1) (C)]

J Transportation from another district or to/from examination or hospitalization in 10 days or less [(1) (H)]

K Consideration of Court of appeals plea agreement [(1) (I)]

L Prosecution deferred by mutual agreement [(2)]

M Unavailability of defendant or essential witness [(3) (A, B)]

N Period of mental/physical incompetence of def. to stand trial [(4)]

O Period of NARA commitment/treatment [(5)]

P Superseding indictment and/or new charges [(6)]

R Def. awaiting trial of co-defendant & no severance has been granted [(7)]

T Continuances granted per (h) (8) use "T" alone if more than one of the following reasons (T1 thru T4) is given in support of continuance [(8) (A, B)]

T1 Failure to continue would stop further proceedings or result in miscarriage of justice [(8) (B, iii)]

T2 Case unusual or complex [(8) (B, ii)]

T3 Indictment/arrest can't be in 30 days [(8) (B, vi)]

T4 Continuance granted to obtain or substitute counsel, or give reasonable time to prepare [(8) (B, v)]

U Time up to withdrawal guilty plea, 3161 (i)

W Grand Jury indictment time extended 30 more days, 3161 (b)

AO 256A ®

Yr. Docket No. Def.

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
	(Document No.)				
8/12/91	-- Wilm. - Judge Fox - Talley Taylor Ct. Reporter Deft. sworn - competent 14. MEMORANDUM OF PLEA AGREEMENT - lc: USA, USPO, Judge Fox, Mr. Pearce Rule 11 Plea of G/Ct. 1 - conditional Deft's M/Dism. Ct. 2 - u/advisement In custody Sen: 11/25/91 - Wilm. - 9 A.M.				
11/1/91	ISSUED NOTICE TO APPEAR - set for sentencing on Monday, November 25, 1991, at 9 A.M. before Judge Fox lc: USA and Mr. Pearce				
11/25/91	-- Wilm. - Judge Fox - Talley Taylor Ct. Reporter Sen: PSI - no objections Govern/s M/Sub. Assistance - allowed 15. GOVERNMENT MOTION FOR DOWNWARD DEPARTURE DUE TO SUBSTANTIAL ASSISTANCE - lc: Judge Fox - allowed 16. JUDGMENT IN A CRIMINAL CASE - offenses after 11/1/87 \$50.00 special assessment 90 months impr Ct. recommends that deft. be allowed to serve his sen. at FCI, Otisville, New York 60 months sup. release W/n 72 hrs. report to USPO upon release Not poss. a firearm. or other destructive device 1. not incur new credit charges or open add. lines of credit w/o the approval of the probation office 2. provide the probation office w/access to any req. fin information 3. part. as directed in a program approved by the probation office for trm. of narcotic addiction, drug dependency or alcohol dependency which will include urinalysis testing or orther drug detection measures 4. part. in a vocational rehab. program as directed by the p. o. The court does not impose a fine. Stm. of reasons in file Denial of benefits - 5 yrs. ending 11/25/96 (Fox, J) Cr. OB#45, P. 60 - lc: deft. USPO, Judge Fox, Fin. Sec., DOJ, Mr. Pearce 2c: USA and 3c: USM (ent. 11/29/91)				
12/4/91	17. MOTION FOR CHANGE OF IMPRISONMENT RECOMMENDATION by deft. lc: Judge Fox				
12/10/91	18. ORDER - J&C amended to reflect that the court recommends to BOP that deft. be allowed to serve his sen. at FCI, Danbury, Connecticut - in all other respects the judgment is ratified as entered. (Fox, J) Cr. Ob#45, P. 80 -lc: Mr. Pearce, USPO, USA and USM (ent. 12/10/91)				

UNITED STATES DISTRICT COURT
CRIMINAL DOCKET

AO 256A

DATE	PROCEEDINGS (continued)	V. EXCLUDABLE DELAY			
		(a)	(b)	(c)	(d)
12/27/91	-- PSI returned to USPO		sr		
7/23/97	TRANSFER OF JURISDICTION - lc: Judge Fox, USA, USPO(both districts), F. Sec., F.Cen., Clerk-EDVA, w/copy of Indict., J&C, docket sheet LETTER - forwarding case to Clerk-EDVA, lc: Judge Fox, USA, USPO(both districts), F.Cen., F.Sec. Case jurisdiction as to sup. release transferred to EDVa-Norfolk.		sr		